

**MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, August 7, 2007  
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners commenced Tuesday, August 7, 2007 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Artlin Zeiger; Commissioners Terry Weickum and Jerry Paxton; County Clerk Gwynn Rothenberger, County Attorney Cindy DeLancey, and Deputy Clerk Kathy Turner.

Chairman Zeiger called the meeting to order at 9:08 a.m.

**VOUCHERS**

The following vouchers were presented and approved for payment:

ALCORN, CHRISTINE	LAWN CARE	90.00
ALL DAY PLUMBING	HOT WATER HEATER	1,010.00
ALLEGRA PRINT & IMAGING	PAPER SUPPLIES	595.01
ALSCO, AMERICAN LINEN	SHOP SUPPLIES/MATS	227.96
AMERIGAS	PROPANE	136.00
ARLINGTON RESTAURANT	RECOVERY TEAM FOOD	446.00
ATCO INTERNATIONAL	SUPPLIES	310.00
BAGGS, TOWN OF	OFFICE RENTAL/WATER & SEWER	256.25
BALLARD, ED "SHORTY"	MILEAGE	112.24
BANK OF COMMERCE	SUPPLIES/TRAVEL/FUEL/TRAINING	5,493.27
BANKERS WARRANTY GROUP	SERVICE PLAN	39.99
BARTLETT, SUE RN	MILEAGE	53.03
BEHAVIORAL INTERVENTION	MONITORING SERVICES	292.14
BG & J SANITATION	GARBAGE SERVICE	445.00
BI-RITE PHARMACY	PRESCRIPTIONS	431.21
BLACK HILLS AMMUNITION	AMMUNITION	458.00
BLACK MOUNTAIN GLASS	SUPPLIES	218.51
BOB BARKER COMPANY	SUPPLIES	324.99
BRESNAN COMMUNICATIONS	TV/INTERNET SERVICES	333.84
BROWN & SONS WOODWORK	OFFICE CONSTRUCTION	23,460.00
BUSEY, SHARALEE	MILEAGE	110.22
C & D FABRICATION	VEHICLE REPAIRS	125.00
CARBON COUNTY COOPERATIVE	REGISTRATION/PHONE SERVICES	139.71
CARBON COUNTY SENIOR SERVICES	1ST QUARTER FUNDS	57,500.00
CARBON COUNTY TV & ELECTRONICS	SUPPLIES	54.99
CARBON POWER & LIGHT	ELECTRICAL SERVICE	265.24
CASPER WINNELSON CO	PARTS	312.66
CENTURYTEL	TELEPHONE SERVICE	127.41
CESKO, DAVID MD	MEDICAL SERVICES	545.00
CHANDRA, V RAJA MD	MEDICAL SERVICES	1,137.00
CHEMDRY OF SNOWY RANGE	CARPET CLEANING	71.44
CHEMSEARCH	SUPPLIES	333.92
CHILDRESS ELECTRIC INC.	SUPPLIES	253.20
COALITION OF LOCAL GOVERNMENTS	2007/2008 ANNUAL DUES	20,000.00
COMMUNITY INTERVENTION	SUPPLIES	275.00
COMPUTER SOFTWARE ASSOCIATES	COMPUTER SERVICES/SUPPORT	3,304.85
CORBIN SUPPLY COMPANY	SUPPLIES	150.00
CORPORATE EXPRESS	SUPPLIES	665.59
COUNTRY STORE	FUEL	111.01
CRAFTSMAN ELECTRIC	ELECTRICAL SERVICES	143.74
CSK AUTO, INC.	PARTS	217.55
CULLIGAN WATER CONDITIONING	SUPPLIES	148.37
CULVER, GLEN	LAWN CARE	50.00
CYR, NANCY	MILEAGE	82.34
DAILY TIMES	ADVERTISING	9,592.50
DALLIN MOTORS INC	VEHICLE REPAIRS	476.45

DEEP SWEEP INC.	GENERAL CLEANING	75.00
DEHERRERA & BACH LAW	LEGAL SERVICES	2,909.55
DEHERRERA, ABE	INTERPRETER	257.08
DELEON, JOHN	LEGAL SERVICES	2,553.00
DELL MARKETING L.P.	TONER CARTRIDGE	179.98
DRUMMOND REFRIGERATION	REPAIRS	182.00
DUSTBUSTERS, INC.	DUSTGARD	2,923.00
EAGLE UNIFORM SUPPLY	SUPPLIES	240.53
ELK MOUNTAIN TOWING	VEHICLE REPAIRS	44.87
ELSEVIER	TRAINING MATERIALS	54.14
ENGSTROM, JAMES D. DDS	DENTAL SERVICES	2,000.00
ERICKSON & ROBERTS	LEGAL SERVICES	8,960.98
FARMER BROTHERS COFF	SUPPLIES	147.30
FEDEX	SHIPPING CHARGES	20.66
FLEET SERVICES	FUEL	585.66
FORSTER LANDSCAPE & CONSTRUCTION	REPAIRS	360.00
FRANCIS, SARAH	MILEAGE	46.00
G C BUILDING SUPPLY	RENTAL-MAN LIFT	185.00
G. NEIL COMPANIES	SUPPLIES	82.17
GAINES, SADIE	MILEAGE	20.24
GASES PLUS	SUPPLIES	980.91
GEM CITY BONE & JOINT	MEDICAL SERVICES	110.00
GENERAL STEEL CORP.	DEPOSIT FOR BUILDING	12,357.48
GILL, GEORGE W.	ID SERVICES	50.00
GOLDEN, MARY	MILEAGE	121.90
GOSVENOR, MAXINE	MILEAGE	230.71
GRAINGER	SUPPLIES	254.90
GREAT NORTH AMERICAN	SUPPLIES	845.00
GUIO, SUSAN, MSW	FACILITATOR FEES	360.00
HARRISON, FREDERICK	LEGAL SERVICES	2,500.00
HASCO INDUSTRIAL SUP	TRAILER	4,997.00
HAYS, STEPHEN DDS	DENTAL SERVICES	400.00
HETTGAR, BRIDGET M R	MILEAGE	324.76
HIGH PLAINS POWER	ELECTRICAL SERVICE	572.80
HIGH PLAINS VISION CENTER	VISION SERVICES	600.00
HIGHLIGHTS FOR CHILD	SUBSCRIPTION	49.68
HILLCREST SPRING WATER	SUPPLIES	200.74
HILLTOP CONOCO	FUEL	143.76
HILLTOP LUBE	VEHICLE MAINTENANCE	79.50
HOLIDAY INN - CHEYENNE	LODGING	129.00
HOLIDAY INN - RIVERTON	LODGING	140.04
HYLAND ENTERPRISES,	SUPPLIES	14.64
IKON FINANCIAL SERVICES	COPIER & SETUP	2,455.00
IKON OFFICE SOLUTION	MONTHLY SERVICE/BASE CHARGES	832.97
INTERMOUNTAIN RECORD	IMAGING SUPPLIES/FILMING RECORDS	1,299.70
J H KASPAR OIL COMPANY	FUEL	4,094.04
JACK'S BODY & FENDER	SERVICE CALL	60.00
JACKALOPE PRINTING	SUPPLIES	565.59
JERRY'S DONUTS	SUPPLIES	39.95
JONES & BARTLETT PUB	SUPPLIES	86.30
JUVE, JANE H	LEGAL SERVICES	5,031.69
KAISER PAINTING & LANDSCAPE	LAWN CARE	180.00
KAR KRAFT INC	VEHICLE MAINTENANCE	75.87
KEY CITY WAREHOUSE	PARTS	16.99
KILBURN TIRE COMPANY	TIRES/MAINTENANCE/PARTS/REPAIR	2,265.69
KLINE, LOU	MILEAGE	157.32
KNAPP SUPPLY & EQUIPMENT	SUPPLIES	204.00
KONE ELEVATORS ESCALATORS	ELEVATOR MAINTENANCE	1,208.99
KROGER - KING SOOPER	SUPPLIES	440.72
L & L ELECTRIC	ELECTRICAL REPAIRS	348.39
LANDER FAMILY DENTAL	DENTAL SERVICES	687.00
LARIAT QUICK STOP	FUEL	910.84
LINCARE	HEALTH SUPPLIES	205.35

LINCOLN PRINTING PLUS	SUPPLIES	332.85
LODGE AT RAWLINS	TRAINING MEAL	229.61
LONG BUILDING TECHNOLOGY	REPAIRS	23,891.30
LOVE AND LOGIC INSTITUTION	PARENT TRAINING CLASS	790.00
MASCARENAS, JERI	CONTRACT LABOR	400.00
MATTHEW BENDER & CO.	WY COURT RULES	175.38
MCILVAINE RENTALS	RENT	1,000.00
MEDIBADGE	SUPPLIES	97.10
MEDICINE BOW, TOWN OF	WATER & SEWER	106.00
MEMORIAL HOSPITAL	MEDICAL SERVICES	12,561.50
MERBACK AWARD COMPANY	AWARD ENGRAVING	168.71
MILLER, KENNETH J.	LEGAL SERVICES	325.00
MILLER, ROBERT	MILEAGE	203.79
MONTOYA, JOAN	MILEAGE	75.92
MOPEC, INC.	SINK	12,072.85
MY AUTOMOTIVE, INC.	VEHICLE MAINTENANCE	35.74
NATIONAL PEN CORP	SUPPLIES	352.56
NATURESCAPES LLC	SPRINKLER SUPPLIES	469.00
NEUTRON INDUSTRIES	SUPPLIES	354.94
NIBBLES & BYTES	COMPUTER SERVICES	754.25
PAGE ONE	PAGER SERVICES	270.83
PAMIDA INC	SUPPLIES	70.02
PARKER, SUSAN	LODGING/MILEAGE/MEALS	367.94
PERUE PRINTING	SUPPLIES	193.00
PHILLIPS 66	FUEL	242.12
PITNEY BOWES	RENTAL CHARGES	271.00
PLAINSMAN PRINTING & STATIONERY	SUPPLIES	496.40
PLATTE VALLEY MEDICAL	MEDICAL SERVICES	165.00
PRO-CHEM INDUSTRIAL	SUPPLIES	631.90
PROJECT PREVENTION	PAYROLL/PHONE SERVICE/POSTAGE	2,225.03
PUBLIC HEALTH MANAGE	SUPPLIES	66.95
PURCHASE POWER	SUPPLIES	15.89
QUESTAR GAS	GAS SERVICE	8.70
QUILL CORPORATION	SUPPLIES	417.23
QWEST-DENVER	CARBON BLDG PAY PHONE	30.14
RAM TRUCKING INC.	DELIVERY CHARGE	786.60
RASMUSSEN FURNITURE	SUPPLIES	23.97
RAWLINS AUTOMOTIVE	PARTS	376.90
RAWLINS EYE CARE	VISION SERVICES	585.00
RAWLINS GLASS	VEHICLE REPAIRS/PARTS	420.10
RAWLINS URGENT CARE	MEDICAL SERVICES	274.00
RAWLINS, CITY OF	WATER & SEWER	2,872.00
REGIONAL JUVENILE DETENTION CENTER	JUVENILE HOUSING	5,828.00
RELIABLE	SUPPLIES	309.26
REMICK, SHELIA	MILEAGE/POSTAGE	73.90
RICHARDSON, JILL	MILEAGE	65.13
ROBERT JACK SMITH & ASSOCIATES	SUPPLIES	36.00
ROBINSON, KARIANNE	VEHICLE LETTERING	125.00
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICE	4,288.68
ROSS' AUTOMOTIVE SERVICE	VEHICLE REPAIRS	655.01
ROYAL SANITARY SUPPLY	SUPPLIES	182.27
RYAN ELECTRONICS INC	MAINTENANCE CONTRACT FEE	4,007.29
SARATOGA AUTO PARTS	PARTS	651.28
SARATOGA SUN	ADVERTISING	500.50
SCHAEFFER'S	SUPPLIES	770.80
SHELL FLEET PLUS	FUEL	87.08
SHEPARD'S	FUEL/SUPPLIES	61.50
SMITH, SUSAN	MILEAGE	28.98
SNAKE RIVER PRESS	PLANNING AD	172.00
SOURCE GAS	GAS SERVICE	987.16
SPEER, WILLIAM	MILEAGE	95.68
STATE OF WYOMING A & I	COMPUTER SERVICES	20.97
SWEET, JEFFREY C DDS	DENTAL SERVICES	621.00

SYSTEMS CONSULTING,	UPDATES	285.00
T'S KEYS	DOOR LOCKS	670.00
TERMINIX	MONTHLY SERVICE	225.00
TRADING POST	FUEL	187.25
TRIBCSP.COM	E-MAIL ACCOUNT	2.00
TRUE VALUE OF RAWLINS	SUPPLIES/TOOLS	280.66
UNION TELEPHONE COMPANY	PHONE SERVICES	1,163.76
USP COMMUNICATIONS	PHONE SERVICE	25.36
VALLEY FOOD & LIQUOR	SUPPLIES	218.76
VALLEY OIL COMPANY	FUEL	94.78
VALLEY PHARMACY	PRESCRIPTIONS	417.99
VAN'S WHOLESALE	SUPPLIES	981.12
VERIZON WIRELESS	TELEPHONE SERVICES	783.42
VISIONARY COMMUNICATIONS	TELEPHONE SERVICES	93.65
WACO	REGISTRATION FEES	660.00
WAGNER, BOBBIE	MILEAGE	41.40
WAGON CIRCLE ORTHOPEDICS	MEDICAL SERVICES	121.00
WEEMS, NATHAN	COMPUTER REPAIRS	137.50
WEST PAYMENT CENTER	INFORMATION CHARGES/COURT CD'S	709.01
WIMPENNY, ROBERT G DDS	DENTAL SERVICES	390.00
WIRE ONE COMMUNICATIONS	SUPPORT SERVICES	3,150.00
WY ASSOC OF SHERIFF'S	2007 MEMBERSHIP DUES	400.00
WY DEPARTMENT OF FAMILY SERVICES	COPIES	55.02
WY DEPT OF ENVIRONMENTAL	ANNUAL FEE	100.00
WY DIESEL SERVICE	PARTS/VEHICLE MAINTENANCE	96.31
WY MACHINERY COMPANY	PARTS	599.42
WY STATIONERY	SUPPLIES	3,383.34
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	183.27
XEROX CORPORATION	BASE CHARGES	1,292.19
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICE	631.26
ZEIGER, ARTLIN	MILEAGE	414.92
	GRAND TOTAL	301,951.11

## **CLERK**

### **Minutes**

Commissioner Weickum moved to approve the minutes of the July 16, 2007 Commissioners Budget Hearing and July 17, 2007 Commissioners regular meeting as presented. Commissioner Paxton seconded and the motion carried unanimously.

### **Monthly Receipts**

Commissioner Weickum moved to approve the County Clerk's Statement of Fees for July 2007 in the amount of \$23,259.50, Planning & Zoning receipts in the amounts of \$419.25 for the month of June 2007 and \$8,946.75 for the month of July 2007, and Road & Bridge receipts in the amounts of \$10.00 and \$100.00. Commissioner Paxton seconded and the motion carried unanimously.

### **Bonds**

Commissioner Weickum moved to approve a \$1,000.00 bond for Cynthia K. Ogburn, Treasurer of Carbon County Museum and a \$10,000.00 bond for Irene Archibald, Treasurer of Wagoner Cherokee Irrigation District. Commissioner Paxton seconded and the motion carried unanimously.

### **Victim Assistance Programs Contract**

Clerk Rothenberger presented a contract for the Carbon County Sheriff's Victim/Witness Program. She stated the term of the contract is for one year expiring June 30, 2008 and outlines

the grant funding the county will receive. She stated that County Attorney Cindy DeLancey and Sheriff Colson have reviewed the contract and both recommend approval.

Commissioner Weickum moved to approve the Fiscal Year 2008 Contract for Victim Assistance Programs Serving Victims of All Crimes between Division of Victim Services and Carbon County Sheriff's V/W Program totaling a maximum amount payable of \$24,696.41, for a term of one year expiring June 30, 2008. Commissioner Paxton seconded and the motion carried unanimously.

#### **Computer Software Associates, Inc.**

Clerk Rothenberger advised in April of this year she was approved to upgrade the Clerk's Office Docudex software to the most current version. She stated she has since added a new scanning module and new receipt and label printers. She presented a revised agreement for these services and stated she has budgeted for all these items and advised that County Attorney DeLancey has revised the contract and recommended approval.

Commissioner Weickum moved to approve the Software and Service Agreement between Carbon County and Computer Software Associates, Inc. for the Document Pro version 9 upgrade including licensing for the Batch Scanning module, printers, installation and training in the total amount not to exceed \$9,692.00. Commissioner Paxton seconded and the motion carried unanimously.

#### **Department of Health Contract**

Clerk Rothenberger presented a contract from the Department of Health regarding distribution of funding for pandemic influenza and added that Attorney DeLancey and Bridgett Hettgar have reviewed the contract and both recommend approval.

Commissioner Weickum moved to approve the Contract between Wyoming Department of Health, Public Health and Terrorism Preparedness Program and Carbon County Public Health Nursing Services to distribute funding for pandemic influenza for the term of June 1, 2007 through July 1, 2008 for a total payment to Carbon County not to exceed \$7,603.00. Commissioner Paxton seconded and the motion carried unanimously.

#### **Joint Powers Board Agreement**

Clerk Rothenberger presented a Joint Powers Board Agreement for the formation of The Valley Community Center Joint Powers Board (TVCCJPB) and stated this agreement had been discussed at a previous meeting. She advised County Attorney DeLancey has recently discussed this agreement with Commissioners Weickum and Paxton.

Commissioner Weickum advised the agreement must be approved before the Joint Powers Board can be officially formed and obtain any funding. There was discussion regarding the language in the section concerning issuance of bonds. Chairman Zeiger stated the bonds are revenue bonds and he is comfortable with the fact that the county has the option of issuing bonds and cannot be forced to do so by this agreement.

Commissioner Weickum moved to approve the Joint Powers Board Agreement between the Board of Commissioners of Carbon County, the Town of Baggs and the Town of Dixon for the formation of The Valley Community Center Joint Powers Board. Commissioner Paxton seconded and the motion carried unanimously.

#### **County Fire Department Building**

Clerk Rothenberger stated Dwight France has advised he would like to advertise for bids for construction of a new fire equipment storage building in Rawlins. She stated that a representative from the County Fire Department might attend the meeting today to discuss the building.

County Treasurer Cindy Baldwin advised that payment could not be made to any contractor until after December 1. Commissioners Weickum and Paxton discussed putting the project out to bid with the stipulation that payment could not be made until after November.

Commissioner Weickum discussed the possibility of waiting until Spring to construct this

building but the Board agreed to discuss the need for the building with the Fire Department later today.

## **ELECTED OFFICIALS/DEPARTMENT HEADS**

### **Attorney**

County Attorney DeLancey advised that she has obtained a refund of \$1,418.56 from Memorial Hospital of Carbon County for emergency detention cases.

### **Assessor**

County Assessor Sheryl Snider presented one tax abatement and seven tax rebates. She also presented a contract with Thos. Y. Pickett and Co. Inc. for valuation services for industrial properties for signature. She stated County Attorney DeLancey has reviewed the contract and recommended approval.

Commissioner Weickum moved to approve the contract between Thos. Y. Pickett and Co. Inc. and Carbon County for valuation services for industrial properties for the period of two years through 2009. Commissioner Paxton seconded and the motion carried unanimously.

### **Budgeted Purchases and Contracts**

Commissioner Weickum moved that any budgeted purchase over the amount of \$1,000.00 would require an authorization number and any contract entered into by a Carbon County department exceeding \$1,000.00 be brought before the Board for approval after review by the County Attorney and after the Department Head signs the contract. Commissioner Paxton seconded and the motion carried unanimously.

Clerk Rothenberger agreed to distribute a letter to all Carbon County departments notifying them of this motion.

### **Treasurer**

County Treasurer Cindy Baldwin advised she should not have to purchase new furniture to accommodate a new employee. She advised her office has received \$23,000.00 for attorney salary reimbursement. She added that she would be attending a meeting tomorrow regarding vehicle dealers collecting sales tax and how this might be handled.

### **Library Surplus Items**

Kristin Herr, Director of the Library System, distributed a list of surplus county property and stated the Library Board has approved the list for disposal and asked the Board to do the same and authorize her to sell or dispose of these items.

Commissioner Weickum moved to authorize the sale or disposal of the items listed on the Inventory Disposal List dated August 2007 as presented by Kristin Herr. Commissioner Paxton seconded and the motion carried unanimously.

### **County Fire Department**

Larry Trapp discussed the proposed fire equipment storage building and distributed specifications for the building that he would like to request bids for. He stated he would not need funds to pay for the building until the first part of October or November. Treasurer Baldwin explained that funds would not be available until after the end of November.

Commissioner Weickum asked if the request for proposals and the contract could state that the first payment could not be paid until after December 1, 2007. Mr. Trapp stated this could be done but that the concrete work would need to be completed before winter weather.

Mr. Trapp received authorization from the Board to advertise for bids and that concrete work would be paid for upon completion and all other payments made after December 1, 2007.

Mr. Trapp advised he would like to begin work on the specifications to purchase a new rescue truck in the approximate amount of \$160,000.00 and have the truck's delivery date in December

with payment due then. The Board authorized Mr. Trapp to work on the specifications. Clerk Rothenberger advised this was budgeted to be a lease and for Mr. Trapp to contact her regarding the truck.

### **Rural Addressing/GIS**

Karen Larsen advised the addressing data from 2005 indicated there were 1,010 addresses to be assigned and she has addressed 1,039. She further advised she still does have other places to address and there are always new places that come in. She advised she has mainly been concentrating on rural addressing but did do some GIS work for DKRW.

### **Road & Bridge**

Mr. Nation advised he received two bids for construction of a new office building. Shepard Construction submitted a bid for \$147,170.00, and Pioneer Mill Construction in the amount of \$165,905.00. Mr. Nation recommended he compare the bids and return later today.

Mr. Nation distributed the August 7, 2007 Road & Bridge Report. He asked for authorization to have PMPC Civil Engineers prepare a preliminary engineering study on the Seminoe Boat Club road. He stated that the \$50,000.00 for the study would be taken from the funds given to the County by the Seminoe Boat Club.

Commissioner Paxton moved to authorize Bill Nation to hire PMPC Civil Engineers to prepare a preliminary engineering study of the Seminoe Boat Club Road in an amount not to exceed \$50,000.00. Commissioner Weickum seconded and the motion carried unanimously.

Mr. Nation reported other work around the county includes two cattle guards that were reset on County Road 1 new McFadden. Gravel hauling continues near Encampment on County Roads 201 and 680. In the Baggs area, they are starting to prepare school bus routes and continue bridge checks through the county. Mr. Nation advised they have also entered into an agreement with the Wyoming Department of Transportation for hot mix on County Road 710. Mr. Nation discussed bridges in the county and stated the bridge in Elk Mountain is functional obsolete, however, this does not mean the bridge is unsafe.

Mr. Nation provided an update on DKRW and advised Tom Johnson from the Wyoming Business Council advised him the business plan for the grant is weak and he has asked Tom Johnson to state his concerns directly to DKRW. Mr. Nation advised they will be pouring concrete on the top of Elk Mountain for an antenna to be used by Road & Bridge, Fire Department, Highway Patrol and Sheriff's Department.

### **ASSET MANAGEMENT PRESENTATION**

George Huntington from WY T<sup>2</sup>/LTAP Program gave a presentation on Asset Management. Mr. Huntington advised the service they provide is rating roads, signs, culverts, etc. and evaluating county road system. He stated the program is an engineering planning tool and financial planning tool. He advised that Carbon County is in the third year of a three-year grant for this program and that a report for Carbon County would be completed in approximately two months.

Commissioner Weickum asked if the program is a one-time event or if Carbon County could reapply for the grant. Mr. Huntington responded that it was a one-time event and that the data for the report was collected in the Summers of 2004, 2005 and 2006.

Mr. Nation stated his appreciation and support for the program and how much he feels it has benefited his department and the County's roads.

### **ARCH OF WYOMING, LLC**

#### **Public Hearing**

Chairman Zeiger opened a public hearing at 11:09 a.m. to hear comments concerning a request from Arch of Wyoming, LLC, to conduct mining activity and disturbance within 100 feet of Carbon County Road 115, pursuant to WDEQ/LQD Rules and Regulations.

Clerk Rothenberger stated a public notice was placed in the Saratoga Sun and Rawlins Daily Times prior to this hearing.

Mr. Nation advised Arch of Wyoming, LLC is actively mining coal on or around County Road 115 and to comply with federal regulations, this public hearing has been advertised in the newspapers to listen to any comments concerning safety issues or any other issues with this mining activity. Mr. Nation stated he feels Arch of Wyoming, LLC has met or exceeded all safety issues for this activity, and for the purposes of this meeting, he recommends they be allowed to continue these activities.

There being no further public comments, Chairman Zeiger closed the hearing at 11:14 a.m.

Commissioner Weickum moved to approve Arch of Wyoming LLC to continue mining activity next to County Road 115. Commissioner Paxton seconded and the motion carried unanimously.

### **JAIL FOOD SERVICE**

Sheriff Jerry Colson and Lt. Deb Bisceglia presented a proposal to end the jail food service contract and hire county employees to provide these services. Lt. Bisceglia stated this change would provide savings to the county of approximately \$17,000.00 per year. Sheriff Colson advised County Attorney DeLancey has reviewed the proposal and had no objections.

Commissioner Weickum asked how the present contract must be terminated and County Attorney DeLancey advised there is a notice of termination provision and that she and Lt. Bisceglia are working on this.

Commissioner Paxton moved to accept the proposal from the Carbon County Sheriff's Office to terminate the current food service contract and hire county employees to perform these duties. Commissioner Weickum seconded and the motion carried unanimously.

### **FLOODING**

Bill Nation discussed the recent heavy rainfall and the flooding of the Rawlins Equestrian Center. He stated that County Emergency Management personnel were called to the scene and advised the owners, Dave and Cindy DeLancey, to contact the County Road & Bridge Department for assistance as this could be a public safety concern. Mr. Nation also thanked Sheriff Colson for his hard work on the flood as Sheriff personnel were there as well.

### **BOARD INTERVIEWS**

#### **Upper Platte River Solid Waste Disposal District**

Bill Graner was interviewed for consideration of appointment to the Upper Platte River Solid Waste Disposal District. Clerk Rothenberger advised applications are being accepted through August 10, 2007, for two board members, 3-year terms expiring September 2010 and any additional applicants will be interviewed at the August 21, 2007 meeting. Jim Stolns advised he is interested in reapplying for this board and was interviewed for consideration of reappointment. Mr. Stolns presented a Board Application to Clerk Rothenberger.

### **LUNCH**

Chairman Zeiger recessed for lunch at 11:47 a.m. and reconvened at 1:30 p.m.

### **EXECUTIVE SESSION**

Commissioner Paxton moved to go into executive session at 1:30 p.m. with County Attorney DeLancey and Clerk Rothenberger for personnel and litigation. Chairman Zeiger seconded and the motion carried unanimously.

Louis Kline, Bill Nation, and Lindy Glode joined the session at 1:45 p.m.

Commissioner Weickum moved to come out of executive session at 2:00 p.m. Commissioner Paxton seconded and the motion carried unanimously.

Chairman Zeiger stated that no action was taken during the executive session.

Commissioner Paxton moved to approve the minutes of the executive session as written and

declared they be sealed. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Weickum moved to accept the recommendations of the hiring committee regarding the hiring of a Building Manager / Code Enforcement Officer. Commissioner Paxton seconded and the motion carried unanimously.

## **PLANNING & ZONING**

### **Public Hearing Case File No. 07-07**

Chairman Zeiger opened a public hearing at 2:07 p.m. to hear Planning & Zoning Case File No. 07-07.

Lou Kline, Will Speer, and Kristy Rowan presented the following Case File:

**Case File No. 07-07 William Ronald “Ron” & Lesa Lee Wille:** Request for the Preliminary/Final Plat of the Wille Subdivision located in Sections 8 & 9, T12N, R91W, Carbon County, Wyoming, approximately ¼ mile south of Baggs on the east side of WY Hwy 789, in a Heavy Industrial (MH) Zone on approximately 67.72 acres. This subdivision will be a mixture of highway commercial and rural residential activities. The Highway Commercial (C-2) Zone allows highway oriented business development at appropriate locations in the County and to apply to areas where more complete commercial facilities are necessary for community convenience. The Rural Residential Agricultural (RRA) Zone allows residential and agricultural activities. This subdivision consists of 19 lots and contains 67.72 acres, more or less. There are 7.24 acres in the rights-of-way.

Mr. Kline stated that staff approval is recommended. Mr. Kline discussed Department of Environmental Quality’s water recommendations that the private septic not be approved. Commissioner Paxton asked if DEQ has a say over the water and if not, why they are making a recommendation about water. There was a report presented from a private water quality tester, Tri-Hydro that states there is an existing well that has potable water. There was discussion of how much a well could produce and how many wells it would take to support the proposed number of houses. Commissioner Paxton stated he felt that there was no problem. Commissioner Weickum stated he does not see there is a guarantee for water.

Mr. Pedersen from Robert Jack Smith & Associates stated the landowner feels there can be plenty of water for uses and that drinking water could be purchased. Mr. Speer stated there is one well that is potable that already exists on the property. Steve Adams stated the well that exists is only 300’ and that wells could be deeper that could possibly serve the whole subdivision.

Linda Fleming, former Baggs Mayor and former County Commissioner, stated that because of the distance to bring water into the Town of Baggs, the project was halted. Baggs has water rights from High Savery Dam and she feels that with the new treatment plant, there is a bright future for the water situation in Baggs. She feels the DEQ report is premature, that the subdivision should go forward and the risk of water is minimal compared to the benefits the subdivision would provide. She recommends in an impacted area like Baggs that needs commercial property, the Board approve the subdivision, and take the risk of the water situation. Chairman Zeiger asked how far the High Savery Dam is from a usable point in Baggs. Ms. Fleming replied approximately thirty miles.

Chairman Zeiger stated his concern of the density with respect of how to dispose of sewage. He questioned if the disposal of sewage would interfere with the water on any adjacent lot.

Bill Nation stated his support of the project and stated the septic systems lay down slope from a county gravel pit. The whole hillside is old ancient river rock. He does not feel the septic system would be a problem at all. He feels the wells, if an adequate drilling company drilled a well there, would be sufficient water for commercial and residential lots. Chairman Zeiger asked how deep the well would need to be. Mr. Nation replied he thought 250’-300’. Mr. Kline stated the DEQ approved the septic design of the area and the adverse rating is because of the water concerns.

Shorty Ballard stated the Tri-Hydro report lists over 200 wells in the general vicinity that produce potable water. Mr. Ballard stated he is in favor of the project. Chairman Zeiger stated he is not against the subdivision, but his concern is for public safety and he is concerned about the commercial lot size.

Mr. Pedersen stated the well would be sealed and cased not allowing anything to enter the well, making it safe.

Dale Wille, not a landowner, stated he would appreciate the process going on as their family has tried to jump through every hoop presented.

Commissioner Weickum stated that he is not against the project at all, and he feels it is well planned. His only concern is public safety regarding the water, and a failed subdivision because of the lack of or quality of water. He doesn't feel there has been enough adequate research to determine if there is adequate water. He realizes that individuals from the area feel there is adequate water, but he would like to see the science to back that thought up.

Mr. Adams stated he feels that there is plenty of water if someone is willing to pay for it. Commissioner Weickum would like to know there is drinking water available before a building permit is issued.

Commissioner Paxton cited Wyoming State Statute 18-5-308(c) that discusses a subdivision application being approved by the Board withstanding an adverse recommendation from DEQ and that the landowner must supply the DEQ's recommendation to the buyer before the purchase. He feels this statute addresses any concerns.

Ms. Fleming asked if the Board chose not to pass the subdivision, how long before the proposal could come up again. Ms. Rowan replied one year. Ms. Fleming stated that economically, particularly for the commercial buildings, the area really needs the accommodations for the companies now. Mr. Speer stated the statute discussed by Commissioner Paxton could be addressed as a condition of the approval.

Ron Wille spoke that other areas have cisterns that take care of similar areas. He feels the situation is very workable and that there are options that need to be strongly looked at. Bill Nation further explained a cistern type subdivision where 42 platted residences depend on hauled in water for potable water and this is a viable alternative for wells.

Jack Cobb with the LSR Conservation advised that they helped Mr. Wille test water. He feels as long as everything is disclosed, the conservation district will do everything they can to help the Willes.

There being no further public comments, Chairman Zeiger closed the hearing at 2:44 p.m.

Commission Paxton moved to approve Planning & Zoning Case File No. 07-07 William Ronald "Ron" & Lesa Lee Wille's request for a major subdivision in a Heavy Industrial (MH) Zone for a mixture of highway commercial and rural residential activities consisting of 19 lots containing a total of approximately 67.72 acres conditional upon the landowner complying with Wyoming State Statute 18-5-308(c). Commissioner Weickum seconded, and the motion carried unanimously.

Commissioner Weickum moved to approve Resolution No. 2007-23, a Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission, regarding Planning & Zoning Case File No. 07-07 with the added language that the landowner comply with Wyoming State Statute 18-5-308(c). Commissioner Paxton seconded and the motion carried unanimously.

### **Resolution No. 2007 -23**

#### **A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission.**

**WHEREAS**, pursuant to Wyo. Stat. §18-5-306 & 18-5-307, the Carbon County Planning and Zoning Commission held a public hearing on June 5, 2007, which said hearing was advertised by public notice at least forty-five (45) days prior to said hearing; and

**WHEREAS**, at said public hearing, the Carbon County Planning and Zoning Commission provided the public the opportunity to comment and the Carbon County Planning and Zoning Commission considered any public comments which were made at said hearing; and

**WHEREAS**, at the conclusion of said public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County

Commissioners to adopt this amendment to the Carbon County Subdivision Regulations, as amended, for Carbon County, Wyoming; and

**WHEREAS**, the Carbon County Commissioners, pursuant to Wyo. Stat.§18-5-308 and after receipt of said certified recommendation for approval of this amendment to the Carbon County Subdivision Regulations, as amended, advertised by public notice at least forty-five (45) days prior to a public hearing to take public input and comments which said hearing occurred on August 7, 2007; and

**WHEREAS**, at said public hearing, the Carbon County Commissioners provided the opportunity for the public to comment and for the Carbon County Commissioners to consider any comments which were made on the proposed amendments; and

**WHEREAS**, the Carbon County Commissioners in considering the said amendment have also reviewed and considered the Carbon County Land Use Plan of 1998; and

**WHEREAS**, the Carbon County Commissioners have determined that the proposed amendment is in conformity with the Carbon County Land Use Plan of 1998 and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

**WHEREAS**, at a regularly scheduled meeting of the Carbon County Commissioners, by majority vote, the Carbon County Commissioners moved to approve the following amendment(s) to the Carbon County Subdivision Regulations, as amended.

**(1) Case File #07-07 – William Ronald “Ron” Wille and Lesa Lee Wille “Wille Subdivision”:** Request for the Preliminary/Final Plat of the Wille Subdivision located in Sections 8 & 9, T12N, R91W, Carbon County, Wyoming, in a Heavy Industrial (MH) Zone on approximately 67.72 acres. This subdivision will be a mixture of highway commercial and rural residential activities. The Highway Commercial (C-2) Zone allows highway oriented business development at appropriate locations in the County and to apply to areas where more complete commercial facilities are necessary for community convenience. The Rural Residential Agricultural (RRA) Zone allows residential and agricultural activities. This subdivision contains 19 lots and contains 67.72 acres, more or less. There are 7.24 acres in the rights-of-way.

The applicant is applying for a zone change (See Case #07-08) to comply with the Carbon County Zoning Resolution of 2003 Amended 01-06-2004. The applicant is requesting a zone change from Heavy Industrial (MH) Zone to Highway Commercial (C-2) Zone (Lots 1-5 and Lots 13-19) and Rural Residential Agriculture (RRA) Zone (Lots 6-12) encompassing a total of approximately 67.72 acres. For Lots 6-12 zoned RRA: Density being one (1) single-family dwelling unit and associated structures. For Lots 1-5 and Lots 13-19 zoned C-2: Density being zero (0) unless a Conditional Use Permit (C.U.P.) is approved for the purpose of a single-family residence only when used by the owner or manager on the same site.

Subdivision consists of 19 lots and contains 67.72 acres, more or less.

- |                     |                     |
|---------------------|---------------------|
| Lot 1 = 3.27 acres  | Lot 11 = 5.00 acres |
| Lot 2 = 1.72 acres  | Lot 12 = 5.00 acres |
| Lot 3 = 1.86 acres  | Lot 13 = 1.78 acres |
| Lot 4 = 2.52 acres  | Lot 14 = 1.71 acres |
| Lot 5 = 3.76 acres  | Lot 15 = 3.13 acres |
| Lot 6 = 5.00 acres  | Lot 16 = 2.01 acres |
| Lot 7 = 5.00 acres  | Lot 17 = 1.23 acres |
| Lot 8 = 5.00 acres  | Lot 18 = 1.23 acres |
| Lot 9 = 5.00 acres  | Lot 19 = 1.23 acres |
| Lot 10 = 5.02 acres |                     |

Lots to rezoned to RRA:

- |       |        |
|-------|--------|
| Lot 6 | Lot 10 |
| Lot 7 | Lot 11 |
| Lot 8 | Lot 12 |
| Lot 9 |        |

Lots to rezoned to C-2:

- |        |        |
|--------|--------|
| Lot 1  | Lot 14 |
| Lot 2  | Lot 15 |
| Lot 3  | Lot 16 |
| Lot 4  | Lot 17 |
| Lot 5  | Lot 18 |
| Lot 13 | Lot 19 |

The subject property is located approximately ¼ mile south of Baggs on the east side of WY HWY 789.

**Legal Description:** Know all men by these presents that William Ronald and Lesa Lee Wille are the owners of all that real property described as follows:

A tract of land in Sections 8 & 9, T12N, R91W, Carbon County, Wyoming, more completely described as follows:

Beginning at the East ¼ corner of said Section 8; Thence East 1320.00 ft., more or less, along the East/West centerline of said Section 9, to the Northeast corner of the NW1/4 SW1/4 of said Section 9; Thence South, 1320.00 ft., more or less, to the Southeast corner of said NW1/4SW1/4 of said Section 9; Thence West, 1320.00 ft., more or less, to a point on the Section line between Sections 8 and 9; Thence South, 352.32 ft., more or less, along the Section line between Sections 8 and 9 to a point on the Easterly right of way of said Wyoming Highway #789; Thence N34°41'W, (Highway call bearing) 1275.43 ft., more or less, along the Easterly right of way of said Highway 789, to the Southwesterly corner of a tract of land as described in Book 851, Page 139, Misc. Records of the Carbon County Clerk, Rawlins, Wyoming; Thence N47°27'23"E, 403.14 ft. along the Southerly line of said 851-139 tract to the Southeasterly corner of said tract; Thence N35°39'07"W, (against a Highway right of way call of N34°41'W) 500.00 ft., to the Northeasterly corner of a tract of land as described in Book 1033, Page 153, Misc. Records of the Carbon County Clerk, Rawlins, Wyoming; Thence S47°27'23"W, 403.14 ft. to the point on the Easterly right of way of said Highway 789 and the Northwesterly corner of said 1033-153 tract; Thence N34°41'W, 664.13 ft. along the Easterly right of way of said Highway 789, to a point; Thence East, 1421.92 ft., more or less, to a point on the East line of said Section 8; Thence South, 310.00 ft., more or less, along the East line of said Section 8 to the point of beginning, said tract containing 67.72 acres, more or less.

Have by these presents laid out, platted, and subdivided the same into lots as shown hereon, with the free consent, and in accordance with the desires of the undersigned owners, and designated the same as the Wille Subdivision in the County of Carbon, State of Wyoming.

Pursuant to the recommendations of the Carbon County Planning and Zoning Commission:

**Density RRA:** For Lots 6-12 zoned RRA: Density being one (1) single-family dwelling unit and associated structures.

**Density C-2:** For Lots 1-5 and Lots 13-19 zoned C-2: Density being zero (0) *unless* a Conditional Use Permit (C.U.P.) is approved for the purpose of a single-family residence *only* when used by the owner or manager on the same site.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:**

1. That the Carbon County Board of Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning and Zoning Commission, including that the subdivider comply with Wyoming State Statute 18-5-308(c).

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 7th day of August, 2007.

**BOARD OF COUNTY COMMISSIONERS OF  
CARBON COUNTY, WYOMING**

By: -s- Artlin "Art" Zeiger, Chairman  
-s- Jerry D. Paxton  
-s- Terry Weickum

Attest:

-s- Gwynn G. Rothenberger, Carbon County Clerk

**Public Hearing Case File No. 07-08**

Chairman Zeiger opened a public hearing at 2:49 p.m. to hear Planning & Zoning Case File No. 07-08.

Lou Kline presented the Case File.

**Case File No. 07-08 William Ronald "Ron" & Lesa Lee Wille:** Request for a Zone Change from Heavy Industrial (MH) Zone to Highway Commercial (C-2) Zone (Lots 1-5 and Lots 13-19) and Rural Residential Agriculture (RRA) Zone (Lots 6-12) encompassing a total of approximately 67.72 acres. For Lots 6-12 zoned RRA: Density being one (1) single-family dwelling unit and associated structures. For Lots 1-5 and Lots 13-19 zoned C-2: Density being zero (0) *unless* a Conditional Use Permit (C.U.P.) is approved for the purpose of a single-family residence *only* when used by the owner or manager on the same site. This subdivision consists of 19 lots and contains 67.72 acres, more or less. Located approximately ¼ mile south of Baggs on the east side of WY Hwy 789.

There being no public comments, Chairman Zeiger closed the public hearing at 2:56 p.m.

Commission Paxton moved to approve Planning & Zoning Case File No. 07-08 William Ronald “Ron” & Lesa Lee Wille’s request for a Zone Change from Heavy Industrial (MH) Zone to Highway Commercial (C-2) Zone (Lots 1-5 and Lots 13-19) and Rural Residential Agriculture (RRA) Zone (Lots 6-12) consisting of 19 lots and containing a total of approximately 67.72 acres conditional upon the landowner’s compliance with Wyoming State Statute 18-5-308(c). Commissioner Weickum seconded, and the motion carried unanimously.

Commissioner Weickum moved to approve Resolution No. 2007-24, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission, regarding Planning & Zoning Case File No. 07-08 with the added language that the landowner comply with Wyoming State Statute 18-5-308(c). Commissioner Paxton seconded and the motion carried unanimously.

### **Resolution No. 2007 - 24**

#### **A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission.**

**WHEREAS**, pursuant to Wyo. Stat.§18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on June 5, 2007, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at said public hearing, the Carbon County Planning and Zoning Commission provided the public the opportunity to comment and the Carbon County Planning and Zoning Commission considered any public comments which were made at said hearing; and

**WHEREAS**, at the conclusion of said public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Commissioners to adopt this amendment to the Carbon County Zoning Resolution of 2003 for Carbon County, Wyoming; and

**WHEREAS**, the Carbon County Commissioners, pursuant to Wyo. Stat.§18-5-202(c) and after receipt of said certified recommendation for approval of this amendment to the Carbon County Zoning Resolution of 2003, advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on August 7, 2007; and

**WHEREAS**, at said public hearing, the Carbon County Commissioners provided the opportunity for the public to comment and for the Carbon County Commissioners to consider any comments which were made on the proposed amendments; and

**WHEREAS**, the Carbon County Commissioners in considering the said amendment have also reviewed and considered the Carbon County Land Use Plan of 1998; and

**WHEREAS**, the Carbon County Commissioners have determined that the proposed amendment is in conformity with the Carbon County Land Use Plan of 1998 and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

**WHEREAS**, at a regularly scheduled meeting of the Carbon County Commissioners, by majority vote, the Carbon County Commissioners moved to approve the following amendment(s) to the Carbon County Zoning Resolution of 2003.

**(1) Case File #07-08 – William Ronald “Ron” Wille and Lesa Lee Wille:** Request for a Zone Change from Request for a Zone Change from Heavy Industrial (MH) Zone to Highway Commercial (C-2) Zone and Rural Residential Agricultural (RRA) Zone in the Wille Subdivision (See Case #07-07). The Wille Subdivision located in Sections 8 & 9, T12N, R91W, Carbon County, Wyoming, in a Heavy Industrial (MH) Zone on approximately 67.72 acres. This subdivision will be a mixture of highway commercial and rural residential activities. The Highway Commercial (C-2) Zone allows highway oriented business development at appropriate locations in the County and to apply to areas where more complete commercial facilities are necessary for community convenience. The Rural Residential Agricultural (RRA) Zone allows residential and agricultural activities. This subdivision contains 19 lots and contains 67.72 acres, more or less. There are 7.24 acres in the rights-of-way.

For Lots 6-12 zoned RRA: Density being one (1) single-family dwelling unit and associated structures. For Lots 1-5 and Lots 13-19 zoned C-2: Density being zero (0) *unless* a Conditional Use Permit (C.U.P.) is approved for the purpose of a single-family residence *only* when used by the owner or manager on the same site.

Subdivision consists of 19 lots and contains 67.72 acres, more or less.

Lot 1 = 3.27 acres	Lot 11 = 5.00 acres
Lot 2 = 1.72 acres	Lot 12 = 5.00 acres
Lot 3 = 1.86 acres	Lot 13 = 1.78 acres
Lot 4 = 2.52 acres	Lot 14 = 1.71 acres

Lot 5 = 3.76 acres      Lot 15 = 3.13 acres  
Lot 6 = 5.00 acres      Lot 16 = 2.01 acres  
Lot 7 = 5.00 acres      Lot 17 = 1.23 acres  
Lot 8 = 5.00 acres      Lot 18 = 1.23 acres  
Lot 9 = 5.00 acres      Lot 19 = 1.23 acres  
Lot 10 = 5.02 acres

Lots to rezoned to RRA:

Lot 6   Lot 10  
Lot 7   Lot 11  
Lot 8   Lot 12  
Lot 9

Lots to rezoned to C-2:

Lot 1   Lot 14  
Lot 2   Lot 15  
Lot 3   Lot 16  
Lot 4   Lot 17  
Lot 5   Lot 18  
Lot 13 Lot 19

The subject property is located approximately ¼ mile south of Baggs on the east side of WY HWY 789.

**Legal Description:** Know all men by these presents that William Ronald and Lesa Lee Wille are the owners of all that real property described as follows:

A tract of land in Sections 8 & 9, T12N, R91W, Carbon County, Wyoming, more completely described as follows:

Beginning at the East ¼ corner of said Section 8; Thence East 1320.00 ft., more or less, along the East/West centerline of said Section 9, to the Northeast corner of the NW1/4 SW1/4 of said Section 9; Thence South, 1320.00 ft., more or less, to the Southeast corner of said NW1/4SW1/4 of said Section 9; Thence West, 1320.00 ft., more or less, to a point on the Section line between Sections 8 and 9; Thence South, 352.32 ft., more or less, along the Section line between Sections 8 and 9 to a point on the Easterly right of way of said Wyoming Highway #789; Thence N34°41'W, (Highway call bearing) 1275.43 ft., more or less, along the Easterly right of way of said Highway 789, to the Southwesterly corner of a tract of land as described in Book 851, Page 139, Misc. Records of the Carbon County Clerk, Rawlins, Wyoming; Thence N47°27'23"E, 403.14 ft. along the Southerly line of said 851-139 tract to the Southeasterly corner of said tract; Thence N35°39'07"W, (against a Highway right of way call of N34°41'W) 500.00 ft., to the Northeasterly corner of a tract of land as described in Book 1033, Page 153, Misc. Records of the Carbon County Clerk, Rawlins, Wyoming; Thence S47°27'23"W, 403.14 ft. to the point on the Easterly right of way of said Highway 789 and the Northwesterly corner of said 1033-153 tract; Thence N34°41'W, 664.13 ft. along the Easterly right of way of said Highway 789, to a point; Thence East, 1421.92 ft., more or less, to a point on the East line of said Section 8; Thence South, 310.00 ft., more or less, along the East line of said Section 8 to the point of beginning, said tract containing 67.72 acres, more or less.

Have by these presents laid out, platted, and subdivided the same into lots as shown hereon, with the free consent, and in accordance with the desires of the undersigned owners, and designated the same as the Wille Subdivision in the County of Carbon, State of Wyoming.

Pursuant to the recommendations of the Carbon County Planning and Zoning Commission:

**Density RRA:** For Lots 6-12 zoned RRA: Density being one (1) single-family dwelling unit and associated structures.

**Density C-2:** For Lots 1-5 and Lots 13-19 zoned C-2: Density being zero (0) *unless* a Conditional Use Permit (C.U.P.) is approved for the purpose of a single-family residence *only* when used by the owner or manager on the same site.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:

1. That the Carbon County Board of Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning and Zoning Commission including that the subdivider comply with Wyoming State Statue 18-5-308(c).

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 7th day of August, 2007.

**BOARD OF COUNTY COMMISSIONERS OF  
CARBON COUNTY, WYOMING**

By: -s-Artlin "Art" Zeiger, Chairman  
-s- Jerry D. Paxton  
-s- Terry Weickum

Attest:  
Gwynn G. Rothenberger, Carbon County Clerk

**Final Plat**

Chairman Zeiger and Clerk Rothenberger signed and sealed the final plat for the Wille Subdivision.

**Public Hearing Case File No. 07-13**

Chairman Zeiger opened a public hearing at 3:02 p.m. to hear Planning & Zoning Case File No. 07-13.

Lou Kline, Will Speer, and Kristy Rowan presented the following Case File:

**Case No. 07-13 – Lela A. Emmons:** Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-40) on approximately 40 acres. Density being one (1) single family dwelling unit and associated structures allowed on approximately 40 acres. The RRA Zone allows residential and agricultural activities. Property is located approximately 10 miles north of Savery on Carbon County Road #561.

Bill Nation recommends approval and stated that the applicant knows the road is not maintained on a year-round basis. Pending the approval of this, the applicant may apply for an access permit from that road. Ms. Emmons commented requesting approval.

There being no further public comments, Chairman Zeiger closed the hearing at 3:09 p.m.

Commission Weickum moved to approve Planning & Zoning Case File No. 07-13 Lela A. Emmons' request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-40) on approximately 40 acres. Commissioner Paxton seconded, and the motion carried unanimously.

Commissioner Weickum moved to approve Resolution No. 2007-25, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission, regarding Planning & Zoning Case File No. 07-13. Commissioner Paxton seconded and the motion carried unanimously.

**Resolution No. 2007 - 25**

A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission.

**WHEREAS**, pursuant to Wyo. Stat.§18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on July 3, 2007, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at said public hearing, the Carbon County Planning and Zoning Commission provided the public the opportunity to comment and the Carbon County Planning and Zoning Commission considered any public comments which were made at said hearing; and

**WHEREAS**, at the conclusion of said public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Commissioners to adopt this amendment to the Carbon County Zoning Resolution of 2003 for Carbon County, Wyoming; and

**WHEREAS**, the Carbon County Commissioners, pursuant to Wyo. Stat.§18-5-202(c) and after receipt of said certified recommendation for approval of this amendment to the Carbon County Zoning Resolution of 2003, advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on August 7, 2007; and

**WHEREAS**, at said public hearing, the Carbon County Commissioners provided the opportunity for the public to comment and for the Carbon County Commissioners to consider any comments which were made on the proposed amendments; and

**WHEREAS**, the Carbon County Commissioners in considering the said amendment have also reviewed and considered the Carbon County Land Use Plan of 1998; and

**WHEREAS**, the Carbon County Commissioners have determined that the proposed amendment is in conformity with the Carbon County Land Use Plan of 1998 and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

**WHEREAS**, at a regularly scheduled meeting of the Carbon County Commissioners, by majority vote, the Carbon County Commissioners moved to approve the following amendment(s) to the Carbon County Zoning Resolution of 2003.

**(1) Case File #07-13 – Lela A. Emmons:** Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-40) on approximately 40 acres. Density being one (1) single family dwelling unit and associated structures allowed on approximately 40 acres. The RRA Zone allows residential and agricultural activities. The subject property is located approximately 10 miles north of Savery on Carbon County Road #561. **Legal Description** SW1/4 SE1/4, Section 11, T13N, R89W, 6<sup>th</sup> P.M., Carbon County, Wyoming.

Pursuant to the recommendations of the Carbon County Planning and Zoning Commission:

Density on the subject parcel shall not exceed one (1) single family dwelling unit and associated structures on approximately 40 acres (RRA-40).

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:**

1. That the Carbon County Board of Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning and Zoning Commission.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 7<sup>th</sup> day of August, 2007.

**BOARD OF COUNTY COMMISSIONERS OF  
CARBON COUNTY, WYOMING**

By: -s- Artlin “Art” Zeiger, Chairman  
-s- Jerry D. Paxton  
-s- Terry Weickum

Attest:

-s- Gwynn G. Rothenberger, Carbon County Clerk

**EXECUTIVE SESSION**

Commissioner Weickum moved to go into executive session at 3:13 p.m. with County Attorney DeLancey, Clerk Rothenberger, Assessor Snider, and Treasurer Baldwin for personnel. Commissioner Paxton seconded and the motion carried unanimously.

Treasurer Baldwin and Assessor Snider left the executive session at 3:27 p.m.

Commissioner Paxton moved to come out of executive session at 3:45 p.m. Commissioner Weickum seconded and the motion carried unanimously.

Chairman Zeiger stated that no action was taken during the executive session.

Commissioner Weickum moved to approve the minutes of the executive session as written and declared they be sealed. Commissioner Paxton seconded and the motion carried unanimously.

**INFORMATION TECHNOLOGY**

Commissioner Weickum moved to accept the recommendation of the hiring committee regarding the hiring of a Information Technology employee. Commissioner Paxton seconded and the motion carried unanimously.

**LEGAL ORDER**

Commissioner Weickum moved to authorize the Chairman to sign the Recommendations of the Independent Hearing Officer to the Board of Carbon County Commissioners and the Order of the Board of Carbon County Commissioners regarding Docket No. 2007-01. Commissioner Paxton seconded and the motion carried unanimously.

**PLANNING COMMISSION**

Lou Kline and Will Speer presented a certification of recommended action of the Minor Subdivision Regulations and scheduled a public hearing for October 2, 2007 at 2:00 p.m.

Commissioner Weickum moved to schedule a public hearing October 2, 2007 at 2:00 p.m. to

listen to public comment concerning Amendment to the Minor Subdivision Regulations to listen to public comment concerning Amendment to the Minor Subdivision Regulations. Commissioner Paxton seconded and the motion carried unanimously.

Commissioner Paxton discussed that the Planning Commission is the only county board that is currently paid mileage and in light of a review of county policies, the Board has discussed not paying these individuals mileage.

Commissioner Paxton moved that volunteer members serving on county boards not be paid mileage as of today. Upon call for discussion, Lou Kline commented that by statute, individuals from outlying areas must be appointed to the Planning Commission and he does not want to discourage quality individuals from serving. Commissioner Weickum seconded the original motion and the motion carried unanimously.

There was clarification that this would take effect after today as members of the Planning Commission have already traveled today.

Lou Kline reported that the rules of practice and procedure of the Planning Commission must be changed to change their meeting date and they are in the process of doing this.

### **ROAD & BRIDGE BUILDING BIDS**

Mr. Nation reported he reviewed the two bids for the construction of the new Road & Bridge office and recommends accepting Shepard Construction's low bid.

Clerk Rothenberger questioned the payment date and Mr. Nation replied that Shepard Construction is aware that payment will not be made until after November.

Commissioner Paxton moved to accept the Proposal from Shepard Construction in the amount of \$147,170.00 with the understanding that any payment will not be made before December 1, 2007. Commissioner Weickum seconded and the motion carried unanimously.

### **ADJOURNMENT**

There being no further business, Chairman Zeiger adjourned the meeting at 4:01 p.m.

-s- Gwynn G. Rothenberger, Carbon County Clerk

Approved this 21st day of August 2007.

BOARD OF COUNTY COMMISSIONERS  
CARBON COUNTY, WYOMING

-s- Artlin Zeiger, Chairman